

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
First Regular Session**

House Bill No. 1587

**Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO**

**AN ACT
ESTABLISHING TRICYCLE DRIVER TRAINING AND MOTORIST
AWARENESS PROGRAMS**

EXPLANATORY NOTE

Common carriers, by the very nature of their business and for reasons of public policy, have a duty to exercise extraordinary diligence in protecting the safety of its passengers. Article 1755 of the Civil Code provides:

"A common carrier is bound to carry passengers safely as far as human care and foresight can provide, using the utmost diligence of very cautious persons, with a due regard for all the circumstances."

The Department of Transportation and Communications reports that more than 60% of passengers use public utility vehicles compared to private vehicles. Tricycles, in particular, have become a common mode of transportation especially in areas where larger vehicles are unavailable. In a 1999 study conducted by the Asian Development Bank, it was also determined that most commuters prefer the use of tricycles because of their (i) high accessibility; (ii) availability; (iii) affordability; and (iv) convenience.

Because of the demand for tricycles and the relatively small capital needed to start a tricycle business, the proliferation of tricycles over the past years has become noticeable. Based on an LTO 1990-2003 survey, motorcycle

and tricycle registration generated a 212% increase in the Quezon City area alone. In 2004, the Tricycle Regulation Unit (TRU) of Quezon City reported a total of 20,316 registered tricycles.

Unfortunately, the increased volume of vehicles and commuters has also translated into higher incidence of road accidents. Since an increasing number of commuters rely on tricycles, the granting of franchises to operators of these vehicles must be accompanied by adequate measures that ensure driver safety skills.

The proposed bill aims to establish and institutionalize a program intended to promote road safety by requiring tricycle drivers to go through a mandatory Tricycle Driver Safety Program. This will help promote professionalism in the industry and provide commuters with more safeguards against unskilled drivers.

In view of the foregoing, the proposed Bill's expeditious passage into law is earnestly requested.



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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Tricycle Driver Safety Act of 2010.”

SECTION 2. *Declaration of Policy.* – The State upholds the safety of commuters and the general public. Towards this end, the State shall ensure that transport operators and drivers, most notably, tricycle drivers, are adequately trained in safe driving techniques.

SECTION 3. *Definitions.* – For purposes of this Act, the following terms shall be construed to mean as follows:

A. TRICYCLE – means a motor vehicle composed of a motorcycle with not more than two (2) cylinders of five hundred cubic centimeters (500cc) engine capacity filled with single-wheel side car designed to accommodate four (4) passengers only including the driver.

B. TRICYCLE DRIVER SAFETY PROGRAM – means any formal program of instruction that provides accident avoidance

and other safety-oriented operational skills to tricycle drivers, including innovative training to meet unique regional needs.

C. MOTORIST AWARENESS – means individual or collective motorist awareness of -

(1) The presence of tricycles, motorcycles on or near roadways;

(2) Safe driving practices that avoid injury to tricycles, motorcyclists, bicyclists and pedestrians;

D. LTO – means the Land Transportation Office;

E. TESDA - means the Technical Education and Skills Development Authority.

F. TODA – means the Tricycle Operators and Drivers' Association

G. DOTC – means the Department of Transportation and Communications

SECTION 4. *Creation and Implementation of a Tricycle Driver Safety Program.* – The LTO with the assistance of TESDA shall:

A. Develop and implement a nationwide Tricycle Driver Safety Program. All tricycle drivers, as a prerequisite for the renewal of their license and/or applying for their license must enroll in this program. Once the driver has passed this program, the LTO shall issue a certification to the driver bearing such information.

B. Develop and implement a nationwide Motorist Awareness Program.

C. Collect and analyze data on tricycle accidents and other information that can be used to monitor the effectivity of the programs and for research, technical assistance, and policy development;

D. Provide continuous information and awareness campaigns to the target drivers and the general public on transportation safety issues.

SECTION 5. *Role of Local Government Units.* – Each local government unit shall coordinate with the LTO in the implementation of the Tricycle Driver Safety

Program and the Motorist Awareness Program. A franchise shall not be granted to the operator until all the drivers of the said operator have been issued a certification from the LTO that they have passed the Tricycle Driver Safety Program.

SECTION 6. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the appropriations of the DOTC under the current General Appropriations Act. Thereafter, such sum as may be necessary for its full implementation shall be included in the annual General Appropriations Act as a distinct and separate item.

SECTION 7. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,